

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHERMAN BRONSINK and DAGMAR
FRIESS,

Plaintiff(s),

NO. C09-751MJP

ALLIED PROPERTY AND CASUALTY
INSURANCE COMPANY, et al.,

ORDER ON MOTION FOR RELIEF
FROM TRIAL SCHEDULING ORDER
AND TO COMPEL PLAINTIFFS RE:
PAYPAL

Defendant(s).

The above-entitled Court, having received and reviewed

1. Defendant Depositors Insurance Company Motion for Relief from Trial Scheduling Order and to Compel Plaintiffs re: PayPal (Dkt. No. 85)
2. Plaintiffs' Opposition to Defendant's Motion to Compel re: PayPal (Dkt. No. 98)
3. Defendant's Reply in Support of Motion for Relief from Trial Scheduling Order and to Compel Plaintiffs re: PayPal (Dkt. No. 100)
4. Plaintiffs Sur-reply re Defendant's Motion to Compel re: PayPal (Dkt. No. 103)

and all attached declarations and exhibits, makes the following ruling:

IT IS ORDERED that the motion is GRANTED: The Court authorizes a limited extension of the deadline for filing discovery motions to consider the above-entitled motion and GRANTS the motion as follows:

IT IS ORDERED that Plaintiffs shall provide complete responses to the interrogatories propounded by Defendant and shall produce their PayPal account(s) records within five court days of the date of this order. In the alternative, if Plaintiffs are unable to produce the records, the Court will

1 permit Defendant to issue a subpoena to PayPal for the records and Plaintiffs are ordered to provide
2 the information required by PayPal for execution of the subpoena.

3 IT IS FURTHER ORDERED that Plaintiffs will remit to Defendant Depositor's counsel
4 reasonable attorney's fees in the amount of \$1500.00 within 20 days of the date of this order. The
5 Court does not find that Plaintiffs engaged in willful spoliation of evidence but does find grounds to
6 believe that Plaintiffs unjustifiably obstructed the production of discoverable evidence.

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8 The clerk is ordered to provide copies of this order to all counsel.

9 Dated: April 20, 2010



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11 Marsha J. Pechman
12 U.S. District Judge
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